THE BOARD OF MASSAGE THERAPY

Professional & Vocational Licensing Division Department of Commerce and Consumer Affairs State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Section 92-7(b), Hawaii Revised Statutes ("HRS").

Date: Wednesday, August 6, 2014

<u>Time</u>: 9:00 a.m.

Place: Queen Liliuokalani Conference Room

King Kalakaua Building

335 Merchant Street, First Floor

Honolulu, Hawaii 96813

Present: Olivia Nagashima, Massage Therapist, Chair

George Davis, Jr., Massage Therapist, Vice Chair

Stephanie Bath, Massage Therapist

Rodney J. Tam, Deputy Attorney General ("DAG")

Carlos Keen, Executive Officer ("EO") Lee Ann Teshima, Executive Officer

Jennifer Fong, Secretary

Guests: Arlene Estrella, American Massage Therapy Association ("AMTA") Hawaii

Anne Fritz, AMTA Hawaii Walter Aipa, AMTA Hawaii

May Ferrer Carol Kramer

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor,

as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

1. Call to Order: There being a quorum present, the Chair called the meeting to order at 9:00 a.m.

2. Additions/

Additional Distribution

to Agenda: None.

3. <u>Approval of Minutes</u> Upon a motion by Ms. Bath, seconded by the Vice Chair, it was voted on of the June 4, 2014 and unanimously carried to approve the minutes of the June 4, 2014 meeting

Meeting: as circulated.

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4. Chair's Report:

The Chair welcomed EO Keen who is the Board's new Executive Officer as of August 4, 2014.

The Chair noted that all Hawaii massage therapy licenses were required to be renewed by June 30, 2014. She reported that as of July 22, 2014, there are 7,295 active MATs and 968 inactive MATs.

The Chair reminded the board members that they should review their board packet materials prior to the meeting and be prepared for discussion at the meeting. She said if there are any questions or concerns regarding the materials, the EO should be contacted before the meeting. She also reminded the board members that if they have any questions or concerns during the meeting discussions, they should speak up at the meeting.

Ms. Bath questioned why the Board does not meet more frequently.

The Chair stated that the Board generally only meets four or five times a year based on the examination schedule.

EO Teshima explained that the Board used to meet more frequently, however, it was determined that there was no need to do so as there were no issues to be discussed. She noted that additional meetings can be added if the Board determines that they need to meet more frequently.

- 5. <u>Vice Chair's Report</u>: The Vice Chair stated that he had no issues to report.
- 6. Executive Officer's Officer's Report:

a. Correspondence

1) Age Limit for Massage Clients? Children?

The Board reviewed an inquiry that states "I have a question regarding the age requirement for a client requesting a massage at a spa. What is the law for children to get massage at a spa?"

After some discussion, it was the consensus of the Board to inform the requestor that HRS Chapter 452 does not address an age requirement.

2) Reiki, Healing Touch – Massage Therapy if Not Touching?

The Board reviewed an inquiry that states "I would like to open an energy healing (reiki, healing touch) business and wanted to find out exactly the regulations are/what licenses I need. I'm not sure if gentle laying on of the

hands falls under "massage therapy." A client would be fully clothed laying on a massage table and they have a choice of laying on of hands or no touch at all. The service could also incorporate gently stretches or assisting the client with stretches."

The Chair noted that generally, reiki and healing touch do not involve massage, however recently she has seen some practitioners that say they do "reiki" and "healing touch" but are actually using massage techniques.

Ms. Bath said she feels that people using pure healing touch or reiki should not be penalized for others who stretch the boundaries of those modalities.

The Vice Chair read the definition of "massage" from HRS Chapter 452. He noted that stretching is not addressed in the definition.

The DAG said there seem to be three different types of techniques in question: 1) traditional "reiki" and "healing touch" which involve either no touching or solely laying the hands on the client; 2) massage as defined in HRS Chapter 452 and 3) stretching.

Mr. Aipa stated that if the board considers stretching to be under the definition of massage, then professions such as ballet instructors would have to obtain a massage therapist license.

EO Teshima stated that if stretching is allowed under the particular profession's scope of practice, it would not require a massage therapist license.

By consensus, the Board unanimously carried to defer this discussion. The Board directed the EO to ask the requestor to provide their definition of the terms "reiki", "healing touch" and "gently stretches"/"stretches" as well as more information and clarification on the specific treatments they want to provide in order to better answer her inquiry.

3) Waiver of Sink Requirement in the Massage Room

The Board reviewed a request for a waiver of the law requiring a handwashing sink in the treatment room of massage therapists. The request states in part "This law prevents a severe obstacle to many massage therapists, unfairly limiting where we may work, in otherwise suitable locations." After some discussion, it was the consensus of the Board that the sanitation requirements for massage establishments are under the purview of the Department of Health Sanitation Branch, not the Board of Massage Therapy. The Board directed EO Keen to inform the requestor that they should contact the Department of Health Sanitation Branch with regards to any waiver of the massage establishment sanitation requirements.

4) Hands On Massage Training – Massage Student

The Board reviewed an inquiry that states "According to Subchapter 6 Apprentices 16-84-23, (3) Hands on supervised massage with record keeping – three hundred ten hours. I'd like more clarity as to what 310 hours refers to. Specifically how many hours of hands on massage is required?"

The Chair noted that the inquiry also states that the requestor is currently attending a Department of Education ("DOE") licensed massage school.

The Vice Chair noted that while hands on supervised massage with record keeping is one of the education requirements, there is no definition of "hands on" in HRS Chapter 452 or Hawaii Administrative Rules ("HAR") Chapter 84.

The Chair noted that in Hawaii, massage schools are licensed by the DOE, and therefore, not under the purview of the Board. The Board only ensures that all applicants for licensure, regardless of where they obtained their education, meet the Board's education and other licensure requirements.

It was the consensus of the Board to direct EO Keen to inform the requestor that there is no definition of "hands on" in HRS Chapter 452 or HAR Chapter 84.

b. <u>Unfinished Business</u>

1) Rule Revisions – Title 16, Chapter 84, Hawaii Administrative Rules – Discussion of the Current Draft

The Chair announced that this item would be deferred to the next meeting to allow board members time to review the draft.

EO Teshima stated that in working on the draft, she realized that CPR is an education requirement, however, it is not a licensure requirement.

After some discussion, it was determined that if the Board wants to make CPR a license requirement, they would have to change their statute.

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At this time, the Chair announced she was taking the agenda out of order to discuss the following agenda items:

- 7. Applications, b. Applications
- 8. <u>Chapter 91, HRS, Adjudicatory Matters</u>, a. In the Matter of the Massage Therapist's License of Whitesage Morningstar, formerly known as Jennifer Titherington, MAS 2012-21-L, Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit A

7. Applications: b. Applications

Executive Session:

At 10:41 a.m., upon a motion by the Vice Chair, seconded by Ms. Bath, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a)(1) and (4), "To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 10:49 a.m., upon a motion by Ms. Bath, seconded by the Vice Chair, it was voted on and unanimously carried to move out of executive session.

8. Chapter 91, HRS Adjudicatory Matters:

The Chair called for a recess from the Board's meeting at 10:50 a.m., to discuss and deliberate on the following adjudicatory matters, pursuant to Chapter 91, HRS:

 a. In the Matter of the Massage Therapist's License of Whitesage Morningstar, formerly known as Jennifer Titherington; MAS 2012-21-L – Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "A"

After discussion, it was moved by Ms. Bath, seconded by the Vice Chair, and unanimously carried to approve the Settlement Agreement.

The Board returned to its regular order of business.

7. Applications: a. Ratifications

Upon a motion by the Vice Chair, seconded by Ms. Bath, it was voted on and unanimously carried to approve the attached ratification list.

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b. Applications

Exam & License - Massage Therapist

Kelly Bowers – Request for Exam Waiver

Upon a motion by the Vice Chair, seconded by Ms. Bath, it was voted on and unanimously carried to defer Ms. Bowers' request for exam waiver. The Board directed EO Keen to request that Ms. Bowers provide the exam content of the National Certification Exam she took in July 2000.

Jessica Estes – Questionable App

Upon a motion by the Vice Chair, seconded by Ms. Bath, it was voted on and unanimously carried to approve Ms. Estes' application for exam & license massage therapist.

9. Next Meeting: Wednesday, October 29, 2014

9:00 a.m.

Queen Liliuokalani Room King Kalakaua Building

335 Merchant Street, First Floor

Honolulu, Hawaii 96813

Minutes approved with changes; see minutes of _____

:45 a.m.

10. Adjournment:	With no further business	With no further business to discuss, the Chair adjourned the meeting at 11.		
		Taken by:		
		/s/ Jennifer Fong		
		Jennifer Fong		
		Secretary		
Reviewed by:				
/s/ Carlos Keen				
Carlos Keen				
Executive Officer				
8/20/14				
[✓] Minutes approve	ed as is.			

BOARD OF MASSAGE THERAPY

RATIFICATION LIST Wednesday, August 6, 2014

MASSAGE THERAPIST

MAT 13815 RYUJI OHNUMA	MAT 13857 CHRISTINE V CHUN
MAT 13816 JEFFREY G CHAU	MAT 13858 ANTHONY E BERUMEN
MAT 13817 ASSARA RUKSAWONG	MAT 13859 ELIZABETH A ALSOBROOK
MAT 13818 AZUSA ERI	MAT 13860 JUNA ARAIKAWA
MAT 13819 KATRINA A YODER	MAT 13861 CYNTHIA L ALLEN
MAT 13820 HAZELYN U STAMM	MAT 13862 JAMES N BUSH
MAT 13821 LESLIE L HAMAOKA	MAT 13863 JUSTIN G COLE
MAT 13822 PATRICIA ZAJAC	MAT 13864 CHRISTINA N CLEMENS
MAT 13823 DIANA TO-LOAN VO	MAT 13865 JADELYN A DOWNER
MAT 13824 ANTHONY C CHERBAS	MAT 13866 JULIE A FASSBENDER
MAT 13825 ANCELYN R AVILA	MAT 13867 SARA J HELLAND
MAT 13826 KAREN K COMO	MAT 13868 ASAMI HASE
MAT 13827 ASAMI NEWMAN	MAT 13869 CHERIE K IKEDA
MAT 13828 CHUANPHIS PHILLIPS	MAT 13870 AMANDA S JONES
MAT 13829 ANNA W KEMP	MAT 13871 KEIKO KUNIKANE
MAT 13830 TAYLOR E SIMNIONIW	MAT 13872 ARISA KOJIMA
MAT 13831 GINGER R PALADIN	MAT 13873 IZUMI KAMIZAWA
MAT 13832 CHRISTINE M MORA	MAT 13874 PETRA KLEINERT
MAT 13833 HILARY A KINGMAN	MAT 13875 JAYNELLE M KASHIWABARA
MAT 13834 FRANCES J SALVATO	MAT 13876 SHERRALYN J LONGYEAR
MAT 13835 KRISTIN C KLEIN	MAT 13877 TERESA F LONGBOY
MAT 13836 KELLY J OCHIS	MAT 13878 LEAH E MADDEN
MAT 13837 CHAMAIPORN SRINAMOM	MAT 13879 KALICIA L MEYER
MAT 13838 MEGAN L TRIGG	MAT 13880 NOELLE P MOLLHAGEN
MAT 13839 YUKIE WONG	MAT 13881 HOLLINGSWORTH C MORTON
MAT 13840 GERALDINE L TREMBLAY	MAT 13882 PATRICIA MEDINA
MAT 13841 VALERIE J TORO	MAT 13883 ELENA M POE
MAT 13842 CHALITA SOMDUANGSRI	MAT 13884 RIANE N N M PELANGKA
MAT 13843 MATTHEW D STEWART	MAT 13885 JESSE I PAYTON
MAT 13844 ASUKA SAWADA	MAT 13886 JERILYN L PILLA
MAT 13845 JULISSA M PENA	MAT 13887 MISAKO ROSE
MAT 13846 YOKO OUCHI	MAT 13888 JANALYN G RAMOS
MAT 13847 SABRINA K MURPHY	MAT 13889 NOUTTHAYA SAOPENG
MAT 13848 PAMMY T J MA	MAT 13890 YUKO SAN JUAN
MAT 13849 VINCENT B MARTIN	MAT 13891 RACHEL E STERMER
MAT 13850 HESTIA YI LEE	MAT 13892 CYNTHIA B R SITORUS
MAT 13851 YUKO LANE	MAT 13893 ERIKO TASHIRO
MAT 13852 SHELLEY JO GLASSBURN-MILES	MAT 13894 RACHEL B VANCE
MAT 13853 MIKA N M GORGONIO	MAT 13895 CHRYSTAL A WRIGHT
MAT 13854 ILILANI L GAMBOA	MAT 13896 HAILEY A WILES
MAT 13855 RIE GROW	MAT 13897 SUNSINEY WICHA
MAT 13856 MINA FERGUSON	MAT 13898 JOSEPH R I GAMIAO

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MASSAGE THERAPIST (continued from previous page)

MAT 13899 ELISSA M MITCHELL MAT 13925 SHADYA M MOHAMED MAT 13900 COLLEEN P SULLIVAN MAT 13926 JUNKO MORI MAT 13901 KALENA A AKAMINE MAT 13927 MIWA S MUROMOTO MAT 13902 TAYLOR D K ARAGOSA MAT 13928 KATHRYN C MIYATAKE MAT 13903 SARINA J ALLOY MAT 13929 ALLEN S NEWMAN MAT 13904 ATSUKO BEARD MAT 13930 KAINA OGAWA MAT 13905 MALINDA A BRAET MAT 13931 HIROMI ONUMA MAT 13906 KELLY S BRAYLES-PEDERSON MAT 13932 JORDAN V PETERSON MAT 13907 SARA M BLOOM MAT 13933 JOSEPH S PLEASANT MAT 13908 DEANN E CORBIN MAT 13934 NICOLE R PETERS MAT 13909 KIMBERLY J CARROLL MAT 13935 LINDA ROSENSTIEL MAT 13910 JENNIFER S DREISCH MAT 13936 NATALIA ROGERS MAT 13937 BRANT M STREMMEL MAT 13911 WANDA P EVANS MAT 13912 EUGENIE G FONBONNE MAT 13938 JESSICA M SINGLETON MAT 13913 CASEY A FUKUDA MAT 13939 MEGHAN R STRIEGEL MAT 13914 MICHAELA J HILLIS MAT 13940 CHARMAINE SYED MAT 13915 JAMES A HALL MAT 13941 JENNIFER M SCOTT MAT 13917 MARINA E IGNACIO MAT 13942 JAMIE-LEE S SEDENO MAT 13918 ASUKA KIYOSE MAT 13943 KUM JA TU MAT 13919 SANDRA F KERISIANO MAT 13944 BRIANA L VOSS MAT 13920 SANOE K KUAILANI MAT 13945 BENJAMIN L UNCIANO MAT 13921 KAYLIN K KEALIINOHOMOKU MAT 13946 CONRAD J LOMMEN MAT 13922 CHIALIN LIU MAT 13947 CHERYL E LOOMIS MAT 13923 MIHO G MALAKAUA MAT 13948 JANELLE M NOLT MAT 13924 MARYVIC Z MAGSANOC MAT 13949 SILAS M MCCLELLAN

MASSAGE THERAPY ESTABLISHMENT

MAE 2963 BODYWISE BODYTOOLS LLC

MAE 2964 BODYMINDMAUI INC

MAE 2965 UNITED C HAWAII INC

MAE 2966 ROBYN M BALDIMOR-BASQUE

MAE 2967 EXEO USA INC

MAE 2968 THE ART OF MASSAGE BY BONNIE LLC

MAE 2969 THAI-ISSAN THERAPEUTIC MASSAGE LLC

MAE 2970 MARIA F BARTON

MAE 2971 BOBBI J BEEBE

MAE 2972 AZMAN LLC

MAE 2973 LEINAALA J E KEOMALU-CABANAS

MAE 2974 SHARLEEN K O WAIALEALE

MAE 2975 SPA MAUI WAILEA LIMITED LIABILITY COMPANY

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MASSAGE THERAPY ESTABLISHMENT (continued from previous page)

MAE 2976 HIROMI S LANE

MAE 2977 YURIKO K KING

MAE 2978 MAUI SUNSEEKER LLC

MAE 2979 MASSAGE THERAPY FOR YOU LLC

MAE 2980 ILOMI MASSAGE THERAPY LLC

MAE 2981 AWAKENING IN PARADISE LLC

MAE 2982 WAIKIKI MASSAGE AND FOOT SPA LLC

MAE 2983 ZENSATIONS SPA INC

MAE 2984 DEEP RELIEF MAUI INC

MAE 2985 KEY TO LIFE CHIROPRACTIC INC

MAE 2986 KEY TO LIFE CHIROPRACTIC INC

MAE 2987 MELANIE L NG

MAE 2988 DACIA D ROLLINS

MAE 2989 LAURA E NOBLE

MAE 2990 BEAUTY SPA MAUI LLC

MAE 2991 HILO BAY BODYWORK

MASSAGE THERAPY WORKSHOP

Amy Doff, MAT 6466

Christy Ceraso, MAT 6475

Daniel Albers, MAT 3409

Michael Ceraso, MAT 7464

Kalani Honua Inc., MAE 1816

Rene Haunani Hopkins, MAT 5099

R Haunani Hopkins dba Mapuna Wai Ola, MAE 1744

Heather Han, MAT 5283

Inner Rhythm Consulting, MAE 2668

Janet Graves, MAT 2376

Isabelle Fisher, MAT 4520

Rodney Fisher, MAT 4228

Golden Lotus Spa LLC, MAE 2659

Carol Hart, MAT 6285 Mark Olson, MAT 5771

Candace Agustin, MAT 8149

Carol J. Hart dba Aloha Lomi Massage Academy, MAE 2666

September 15, 2014 – November 4, 2014

July 7, 2014 – August 4, 2014

July 6, 2014 - September 15, 2014

September 8, 2014 – November 30, 2014

August 1, 2014 – April 17, 2015

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MASSAGE THERAPY WORKSHOP (continued from previous page)

Bonnie Lynn Henshaw, MAT 4324

September 2, 2014 – October 28, 2014

Bonnie L.H. Henshaw, MAE 2649

Daryl Young, MAT 11332

July 14, 2014 - September 9, 2014

Matthew Akama, MAT 11622 Kauhi Hoopii, MAT 7404

Bella Torre Academy Inc., MAE 2658

Michelle McKeon, MAT 4642

August 15, 2014 – October 15, 2014

The Coconut Girls.com LLC dba Makua Spa Wellness Center, MAE 2288

Michael Aquino, MAT 12210

August 5, 2014 – October 5, 2014

808 Massage & Bodywork, MAE 2873

Michell Shue, MAT 6279

August 4, 2014 – October 23, 2014

Hawaii Massage Exchange Inc., MAE 2372

Daryl Young, MAT 11332

August 11, 2014 – October 10, 2014

Matthew Akama, MAT 11622 Kauhi Hoopii, MAT 7404

Bella Torre Academy Inc., MAE 2658

Donna Ota, MAT 9269

September 2, 2014 – November 5, 2014

Donna L. Ota dba Caring Hands Massage Therapy, MAE 2824